

PATENT  
Attorney Docket No.: CHEM1110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay Leng Art Unit: 1652  
Application No.: 09/619,047 Examiner Y. Pak  
Filed: July 19, 2000  
Title: PROTEASE SPECIFIC CLEAVABLE LUCIFERASES AND  
METHODS OF USE THEREOF

Commissioner for Patents  
Washington, D.C. 20231

**STATEMENT UNDER 37 C.F.R. §§ 1.821(f) and (g);  
and 37 C.F.R. § 1.825 (b)**

Sir:

I hereby state, as required by 37 C.F.R. § 1.821(f), that the information recorded in computer readable form is identical to the written sequence listing.

I hereby state that the submission, filed in accordance with 37 C.F.R. § 1.821 (g), herein does not include new matter.

I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. § 1.825 (b), is the same as the amended Sequence Listing.

Respectfully submitted,

Date: April 30, 2001

By: Richard J. Fink Reg. No. 38,347  
for: Lisa A. Haile, Ph.D.  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1600  
San Diego, CA 92121-2189  
Customer Number: 28213

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>4-30-01</u> , in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.	
Rachel Carter	
Name of Person Mailing Paper	
<u>Rachel Carter</u>	<u>4-30-01</u>
Signature	Date

**RECEIVED**MAY 07 2001  
Attorney Docket No.: CHEM1110

TECH CENTER 1600/2900

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay Leng  
Application No.: 09/619,047  
Filed: July 19, 2000  
Title: PROTEASE SPECIFIC CLEAVABLE LUCIFERASES AND METHODS OF USE THEREOF

Art Unit: 1652  
Examiner Pak Y.

Commissioner for Patents  
Washington, D.C. 20231

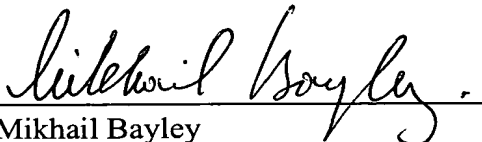
**VERIFIED STATEMENT UNDER 37 C.F.R. § 1.821(f)**

Sir:

I, Mikhail Bayley, declare that I personally prepared the paper and the computer-readable copies of the Sequence Listing filed herewith in the above-entitled case and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 04/26/2001

  
Mikhail Bayley

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1600  
San Diego, CA 92121-2189  
Customer Number: 28213

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>4-30-01</u> , in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.	
Name of Person Mailing Paper <u>Rachel Carter</u>	
Signature <u>Rachel Carter</u>	Date <u>4-30-01</u>



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jay Leng )  
Serial No.: 09/619,047 )  
Filed: July 19, 2000 )  
Group No.: 1652 )  
Examiner: Pak Y. )  
Docket No. CHEM1110 )

For: PROTEASE SPECIFIC CLEAVABLE LUCIFERASES AND METHODS OF USE THEREOF  
CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date 4-30-01, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C.

20231

4-30-01 Rachel Carter  
Date Signature

BOX SEQUENCE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATION CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES**

The enclosed paper and computer readable forms of the Sequence Listing are being filed in response to the Office Communication mailed April 16, 2001. It is noted that paper copy and computer readable forms of the Sequence Listing also were sent by Applicants on April 17, 2001, in response to an Office Communication mailed March 8, 2001. Since it appeared that the Sequence Listing sent by the Applicants and the Office Communication mailed April 16, 2001, may have crossed in the mail, Applicants' representative contacted the Examiner, and were advised that a new Sequence Listing should be filed in response to the Communication mailed April 16, 2001. Accordingly, this Sequence Listing is being filed.

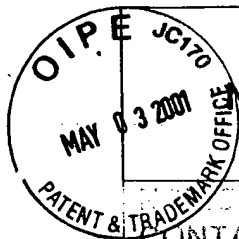
Date: April 30, 2001

Respectfully submitted,

By: Richard J. Imbra  
for: LISA A. HAILE  
Reg. No. 38, 347

Reg. No.  
37,643

GRAY CARY WARE & FREIDENRICH  
4365 Executive Drive, Suite 1600  
San Diego, CA 92121-2189  
Telephone: (858) 677-1456 Fax: (858) 677-1465



Application No.		Applicant(s)	
Examiner	<b>COPY</b>	Unit	

## Notice to Comply

### CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

#### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**